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*Motion pro hac vice granted 9/9/11.
**Motion pro hac vice granted 6/11/12.
***Motion pro hac vice granted 2/1/16.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
HELENA DIVISION

<p>Lair, et al.,</p> <p><i>Plaintiffs,</i></p> <p>v.</p> <p>Jonathan Motl, et al.,</p> <p><i>Defendants.</i></p>	<p>Case No. 6:12-cv-00012-CCL</p> <p>Declaration of Terry Bannan</p>
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I, Terry Bannan, make the following declaration pursuant to 28 U.S.C.

DECLARATION OF
TERRY BANNAN

§ 1746:

1. I am over eighteen years of age and my statements set forth below are based on personal knowledge.

1. I was an unsuccessful Republican primary candidate for then-House District 68 in 2010, a seat previously held by Scott Sales but for which he was term-limited out.

2. This was the first and only time I have run for elected office, and I served as my own campaign manager. For this reason, I attended numerous candidate classes or workshops, including those offered by the Office of the Commissioner of Political Practice, the Republican Legislative Committee, and the National Right to Work Foundation.

3. I was motivated to run because I saw first hand government overreach by state employees who used their limited regulatory authority to engage in improper activities, in particular, employees of Montana's Department of Revenue.

4. I have been pro-life, pro-limited government, and pro-gun my entire life.

5. Christian LeFer referred me to Direct Mail for assistance with my campaign literature. I spent about \$2,400 for four pieces from Direct Mail,

including a “wife” letter (prepared for my daughter-in-law), a letter from me, and a door hanger. I also received assistance with a website.

6. I have some familiarity with the costs associated with layout of printed materials, sign costs, etc. The amount charged by Direct Mail seemed reasonable to me, since the materials were “plug and play” style documents, with a set format that simply needed quick editing to conform to my specific campaign.

7. Every time I tried to talk to Christian LeFer about services available from Direct Mail, he deferred my request to Allison LeFer at Direct Mail.

8. If faced with the option again, I would not use Direct Mail. It was my expectation that the mailers would facilitate fund-raising by promoting name recognition since I was a little-known candidate, but they did not.

9. I have no knowledge of what “on board” or “the works” means.

10. I am aware of an ad positively mentioning my opponent Kelly Flynn sent by Main Street Advocacy Fund and an ad negatively mentioning Kelly Flynn in apparent response to the positive piece sent by Main Street Advocacy Fund. Kelly and I discussed the possibility of publicly refuting them as neither of us knew anything about them or their source, and they seemed outrageous and over the top.

11. I recall receiving and filling out about twenty surveys from various

groups, deciding not to for some groups such as the League of Women Voters because I suspected my responses would be used against me.

12. I did not authorize any National Right to Work, American Tradition Partnership, or Western Tradition Partnership spending to aid in my election, nor did I know of any such spending. I never met with National Right to Work, American Tradition Partnership, or Western Tradition Partnership, or their agents for the purpose of being vetted.

13. I never made an arrangement, explicit or implied, with Western Tradition Partnership, American Tradition Partnership, National Right to Work, or Direct Mail that, in exchange for any efforts to get me elected, I would act in an official government capacity at their direction as a public official.

14. I have never and would never enter into such an agreement with anyone. If someone attempted to make such an agreement with me, I would have, in cowboy terms, "bowed up," been very upset and prepared to "take it outside."

15. I am not aware of any other legislator or candidate entering into such an agreement.

16. On November 12, 2013, Commissioner Motl notified me that he was expanding a complaint filed in July 2010 against the group that ran the negative ad against Kelly Flynn for failing to report as a political committee to include me on

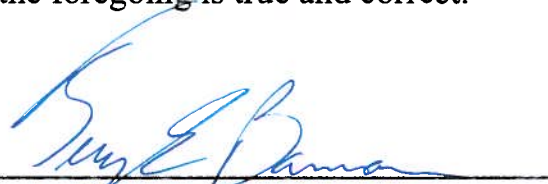
the basis of coordination and corporate contributions. On January 22, 2014, the Commissioner issued findings against me and filed a civil lawsuit against me shortly thereafter that is still pending. None of these documents allege quid pro quo corruption.

17. To date, I have spent over \$10,000 in legal defense fees and have come out of retirement to work to pay these costs.

18. Because of these allegations, I will likely never run for office again.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 31, 2016.



Terry Bannan
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